BARNARD'S IMPRACHMENT.

dispation of the Argument for the Presecution.

STICKNEY'S CHARGE OF CONSPIRACY.

Beach Striking at the Political Members of the Court.

A COURT OF DUMMIES.

Barnard Being Tried by the Bar Assodation of New York.

SARATOGA, August 18, 1872.

SARATOGA, August 13, 1872.
The Court met at ten o'clock this morning.
Mirty-two members were present.

ARGUMENT FOR THE PROSECUTION.

Mr. Stickney resumed his argument directing his mention to the Susquehanna Railroad case. He miled attention to the dates of the orders issued a this case, which were not in accordance with the time of their issuance as testified to by with the case. The fact was counsel said, that there was other judge out of the thirty-two in the State would issue such orders. The parties apply for them knew this. Judge Barnard himself w this, and knew these parties came to out of place and out of time for seon. Some of these papers purported been issued in New York and bere e seal of the city and county of New York, ret in Poughkeepsle, as testified to by witnesses by respondent himself. This must be so, or bany, which could not have been the case; or the papers were afterward signed and

Albany, which could not have been the case; or again, the papers were afterward signed and sealed. Counsel called attention to the complaint of Bush asking for a receiver for the Groesbeck water. This complaint showed that the stock was invalid, and yet the complaint asked for a receiver of it. If it was your no one pould bring an action to have it carbelled but the corporation; and this badge Barnard could have learned. It was add before him in the papers. Yet this Indge wants the application and appoints a receiver, and thes again in the progress of the proceedings. The sheller of New York.

The sheller of New York.

The sheller of New York.

The sheller of Assistance directing the stock of the privilege of voting on it. And this was the sole and only object of the proceeding. It was to prevent this stock from being voted upon, so that the control of the road could be made to passint the hands of Pisk & Co. Counsel called attention to the order of arrest of the president, secretary and counsel of the company, and demanding ball to the amount of \$25,000. Why, said counsel, when william M. Tweed was arrested on the charge of secreting his books of the company, and demanding ball to the amount of \$25,000. Why, said counsel, when william M. Tweed was arrested on the charge of secreting the books of the company, and demanding ball to the amount of \$25,000. Why, said counsel, when william M. Tweed was arrested on the charge of secreting the books of the company and his associates where arrest until First and his associates where arrest was to hold Ramsey and his associates where the should be the charge of the same length, and then the proceeding his thumbs in his west, throws how? This shows that Remery. However, the best of the same of the charge that have a fastly contradicted by a number of give conduct. We show that he was governed in issuing his orders by a corrupt motive. We not care to show the origin of that motive; it is not necessary. Judge Barnard here claimed that the patronage of his Court was his, that it belonged to him. It is to be hoped that we will never hear a Judge of a Supreme Court making the boast that he had he heig elected won a prize, and that he had a right to dispose his patronage as he saw fit. Why, that would alone form an article of impeachment. Counsel closed with an appeal to the Court to convict, and not only remove the respondent, but utterly disqualify him from ever holding office again.

but utterly disqualify him from ever holding office sgain.

MR. BEACH'S ARGUMENT.

Mr. W. A. Beach, in rising to address the Court, said:—It would be a poor affectation were I to disguise the anxiety feit by the respondent and his counsel in the result of this trial; and this feeling is not due entirely to the gravity of the accusation made against him, nor to the peril of its possible consequences. There are circumstances outside of these considerations which make this action memorable. They are within and around this Court, and they are of a character to attract the attention of a community and to excite the solicitude of the accused. I do not speak, sir, the words of mere courtly fattery when I say that I estimate properly the dignity and consequence of this Court; but it is due to myself to say that the majority of the Court is a political ribunal—a tribunal entertaining political notions adverse and hostile to this respondent. They come here embittered by widely-circulated abuse and vilification against this respondent. For years he has suffered obloquy and vilification against this respondent. For years he has suffered obloquy and vilification directed against another citizen of this court, and during its sessions, there have been mandates is used from those in political authority ordering and directing the judgment of this Court from day to day. The most astonishing calumnies, the most abusive epithets, the most unilcensed, reckless acusations have been thundered through the leading presses of this State, and you have been lectured and assumed to be taught your duty in obedience to the command of assumed dictators will depend your future political prospects.

NAY, NORE, SIRS, Srom this years have been issued

and assumed to be taught your duty—admonished that upon the performance of your duty in obedience to the command of assumed dictators will depend your future political prospects.

NAY, Mork, Sirs,

from this very bar daily builctins have been issued to the press by the various correspondents representing the character, nay Mr. President, misrepresenting the character of your proceedings; correspondents falsely present to the community the attitude of this evidence, anticipating the decisions of this Court, assuming to represent the temper of its members, perverting the evidence and inventing where perversion would not answer, and endominating the respondent and his counsel. And another circumstance, the Assembly of this State appoints nine managers, selected from its body, and they have sat here through this trial as mere dummies and delegated to the Bar Association the conduct of this trial, and when I hear, sir, that the Bar Association of the conduct of this trial, and when I hear, sir, that the Bar Association of the prosecution of this case, and when I see the spirit of malignity and hate which animates this prosecution, I cannot but feel that there are circumstances connected with this trial worthy of the attention of this community. And we have it, Mr. President. The proceedings of this trial are not unnoticed, abroad. You see it in the audience which gathers easily to observe your proceedings; not idle and ordinary loungers, not mere curiosity-moskers, but the selection of the intelligence of the country gathered at this famed was conducted into the room and to his seat by Eurile Andrews.) Do you suppose that when the Suurile Andrews.) Do you suppose that when the Suurile Andrews.) Do you suppose that when the selection of the city of New York are shadowing this Court and its members the pseculations of the community will not be excited?

Counsel pursued this theme at length, and then proceeded to argue that a judge should not be deeined guilty of corruption simply because he had arred in his active the

rupt ends, and this must be established by legal proof. It must be shown that an unlawful act has been committed with a corrupt intent. It will not do to assume that the acts of the respondent were perpetrated with a corrupt intent. It will not do to assume that the act of the respondent were perpetrated with a corrupt intent. It will be the duty of this Court to examine this question carefully and closely. By a thorough scrutiny of these orders he believed that not one of them had been issued not warranted by law. Counsel then spoke of the writ of injunction, saying that the time was when its same was of rare occurrence; but since the adoption of the code it has become very common, not alone in New York, but throughout the state. He recognized the importance of the writ, the great interests it is apt to effect and the injuries it may entail; nevertheless it was issued, and its issue was of common occurrence. He granted that the most careful discretion should be used; still this Judge in issuing these writs had but followed the example of other Judges of great eminence. The right to issue an injunction is granted in a statute. The statute provides that is judge may issue an injunction whenever he has become convinced that such a proceeding is necessary, and he asked this Court not to punish this Judge for following the statute.

The counsel then proceeded to consider the questions of the statute.

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uniawral in such action under such circumstances. Council then proceeded to call the attention of the Council then proceeded to call the attention of the Council then proceeded to call the attention of the Council to the first strick, which charged the respondence of the case its books are institute transfer of the stock of Heath and Raphael. He sitated the circumstances of the case and detailed the instory of the movement on the part of the English. Stockholders, which he showed to be an attempt to get control of the majority of the movement on the part of the English. Stockholders, which he showed to be an attempt to get control of the majority of the movement of the management of the road. It was a compiracy, and an illegal one, on their part, and was so represented to Judge Barnard, whereupon he acted as a Judge should act. He said this was the latitatory proceeding of the litigation which became so famous afterwards. There was nothing in the complaint of Nyce which connected him with the Eric Railway Company or with Fisk, Gould and Company. Nyce was non-resident, and brought his suit in his own behalf to protect his interests against this conspiracy on the part of the English stockholders, represented by Heath and Raphael, nor was there anything to show Judge Barnard's connection with Nyce. Counsel then noticed the second charge, in which Fisk, Gould and others appeared as plaintiffs and Heath and others as defendants, and stated at length the history of that case, in which he showed that the cause of the action was the fear that, with the aid of Commodore Vanderbilt, the English stockholders would secure control of the road. Counsel then noticed

ARTICLES TARRE AND FOUR.

which were of the same nature, being the additional Erie suits, explaining their nature and object. He hen took up the fifth article, referring to the action in the case of the Union Pacific Railroad Company. He said he had offered to put in evidence that James Fisk was entitled to the stock he claimed, but the Court refused to receive i

business?
The counsel said there were many things done by Judge Barnard which he did not approve of, but he would not pass over this great and noble act of impartiality without calling attention to it and awarding him the high praise he was entitled to.

Before Mr. Beach had concluded his argument the Court adjourned.

BROOKLYN AFFAIRS.

The Violators of the Excise Law. Fourteen liquor dealers who had violated the Excise law in Williamsburg on Sunday, the 28th ult., and who were arrested at the time by the police, were discharged from custody yesterday by Justice Elliott.

Honorably Discharged. Henry Payne, a young painter, under arrest on a charge of stealing a valuable gold watch and chain from the residence of Mr. Christopher Fagan, No. 176 Union avenue, Williamsburg, was honorably discharged by Justice Elliott yesterday.

Rising Politicians Sent to the Peniten-

David Rise and John Rise, active ward politi-cians, were sentenced to the Penitentiary yesterday by Justice Eames, Williamsburg, for assaulting Officer Ward, of the Sixth precinct, while in the legitlmate discharge of his duty. The prisoners were committed for sixty days.

John Mohringer's Little Game Blocked. For a long time past a fellow of the Aminadab Sleek description has been working upon the sympathies of the simple-minded citizens of Wil-liamsburg, and also upon their pockets, by repre-senting that he needed a little money to defray the funeral expenses of a dead relative. Yesterday he was proved to be an impostor, and Justice Eames gave him thirty days.

Fire in a Distillery.

Shortly after three o'clock yesterday afternoon a fire occurred in the cisterns of Oscar King's extensive distillery, First street and Division avenue, sive distillery, first street and Division avenue, Williamsburg, caused by, it is said, the woodwork igniting from the lamps of workmen engaged in making repairs. The flames were promptly subdued by the firemen. The entire loss will not exceed \$1,500, fully covered by insurance in the Phoenix, Williamsburg City and other companies.

The Increase of the Patrolmen.

Yesterday Comptroller Schroeder sent a comm nication to the Police Commissioners, in which he stated that he fully concurred with them in their resolution to increase the number of patrolmen by fifty, and that he would issue at their request the proper certificates wherewith to defray the additional expense consequent.

The Early Closing Movement in Wil-

Itamsburg.
Several of the dry goods merchants of Williamsburg complain loudly of the outrages to which they are submitted by the clerks engaged in the early closing movement. Window smashing is of common occurrence, and personal assaults on merchants who have not complied with their requests have been reported to the police. The officers of the Early Closing Association, however, say that they are not responsible for these outrages, and sincerely deprecate them.

The Trouble Between Police Inspector

Folk and Chief Engineer Nevins.

Folk and Chief Engineer Nevins.

Thomas Nevins, Chief Engineer of the Brooklyn Fire Department, was arraigned yesterday before Messrs. McLaughlin and Campbell, Fire Commissioners, to answer the charge made against him by Police Inspector Folk, of intoxication and conduct unbecoming an officer. Nevins, as alleged and as was shown by testimony, used shocking language towards the Inspector at the late fire in Osborne's mill, in Columbia street. The impression was that Nevins was intoxicated, but it was not sustained by the witnesses examined. A decision in the case will not be rendered until after the matter has been considered by the full Board.

The Sinking Fund Commissioners.

The Commissioners of the Sinking Fund held a meeting yesterday, in the Mayor's office, to consider the claims of Peter Riley and other contractors for work done by the parties at grading and paving. The following resolutions from the Comptroller, in relation to the matter, were adopted:—

relation to the matter, were adopted:—
Resolved, That the Comptroller be authorized and directed to purchase for account of the Commissioners of the Sinking Fund certain claims which have accrued or may accrue against the city under contracts for local improvements entered into by the city, prior to June 10, 1672, the amount involved at any one time not to exceed \$250,000.

Resolved, That the Commissioners claim for the cancellation of such claims, when purchased by them, the first moneys which shall be collected on account of assessments for local improvements and which shall not be required for other purposes by the Comptroller.

THE CUSTOM HOUSE.

Beginning of Protests Under the New Tariff Act-Bulings of the Treasury Department on Jute-Bajections and Silk Grapes—Highly Im-portant Instructions Relative to Shipbuilding Materials and How and When the Duties Are To Be Refunded.

Thus far everything has worked satisfactorily under the amended tariff. Importers, who have waited for months for the reduction on duties to take effect, were too eager to obtain their goods, and paid little attention to minor items as long as the saving of ten per cent was effected. The marthe saving of ten per cent was effected. The market was bare of merchandise, customers clampred for their purchases, and the lat of August was as anxiously looked for as Plantamour's flery comet on the 12th instant, which, however, differed from the former in failing to put in an appearance. Since the rush of business has subsided merchants have looked a little closer into the details of the Tariff act, and some of them, labor upday the im-Tariff act, and some of them labor under the im-pression that certain goods which are made dutia-ble by the Custom House authorities should be en-tered free. The consequence is that a number of protests have been made, which are according to protests have been made, which are according to law received, forwarded to the Treasury Department and the rulings of the Secretary solisited, which usually remain as law unless repealed by a decision from the United States Courts. For instance, the New York Bagging Company wrote to the Secretary of the Treasury in relation to jute rejections, which are claimed by them, under a reduced rate, according to the new tariff. Secretary Boutwell, in reply, says:—

Boutwell, in reply, says:—
You are informed that jule rejections, not being specially enumerated in the tariff acts, are classified as jute buts at a duty of \$6 per ton, for the reason that they are the refuse cullings, or drawings out, of jute, and assimilate in appearance, value and condition to jute butts. Both articles are also generally used for the same purposes, vis. in the manufacture of bagging and paper

As jute reaching are so classified under the laws now in force I am or column that they will be entitled to the same classification under the Tariff act approved June 6.

Bays

The annexed important letter from the Treasury Department affecting silk craces was received by Collector Arthur yesterday:—

TREASURY DA.

On the 26th uit. we published a lengthy article in relation to materials used in shippuilding, upon which a rebate was allowed in certain contingencies. Yesterday Collector Arthur received the following supplementary instructions, which will be found highly important:—

TREASURY DEPARTMENT,
WASHINGTON, D. C., August, 1872.
The following instructions are issued as supplementary to those of June 20, 1872, carrying into effect the provisions of section 10 of the act approved June 6, 1872.
WM. A. RICHARDSON, Acting Secretary.

In pursuance of the section above referred to, the collowing supplementary regulations are pre-

following supplementary regulations are prescribed—viz.:—

When raw materials of the character mentioned in said section are withdrawn, to be ultimately used for the purpose therein authorized, they may be manufactured at a merchanter of the manufactured at the intended. The manufacture of the materials so withdrawal cutry have made. The tarry making withdrawal of such must be within the limits of the district where withdrawal cutry have made. The tarry making withdrawal of such a made. The tarry making withdrawal of such the control of the construction of the control o has been manufactured into describe articles manufactured within the limits of the district of (district of withdrawal), and has been used entirely in the construction and equipment (or repair, as the case may be) of the here insert name of vessel) of tons burden, lately built (or repaired) within the limits of the district of —"

Sworn to before me, this - day of -, 187-.

"District of 187-.

lowing form, viz. —

"District of 187—, do hereby certify that I have inspected the vessel called the — built (or repaired), at —, in the district of —, and that in my opinion the merchandise withdrawn from the port of — by —, on the has actually entered into the construction and equipment (or repair) of said vessel.

If the articles manufactured as aforesaid are employed in the construction or repair of a vessel in any other district than that of withdrawal, the attidavit of the personal trick than that of withdrawal, the attidavit of the personal trick than that of withdrawal, the attidavit of the personal collections officer above prescribed will be submised to the collector of such other district, who shall forthwith transmit the same to the collector at the port of withdrawal, eerifying to their authenticity and making such surgestions as he may consider appropriate.

Upon the production of the toregoing proof to the collector of the port where the withdrawal entry was made, he shall, if satisfied that the materials so withdrawn have actually been used in the construction, equipment or repair of the vessel as alleged, presert and forward to the Department a certified statement for a refund of the duties on the materials so withdrawn, having first, however, taken from the party claiming the refund a bond in the following form:

"Know all men by these presents, that —— as surcties, are held and firmly bound unto the United States of America in the sum of —— dollars; for the payment wherefor to the United States we bind ourselves, our heirs, executors and admissional that the sum of —— dollars; for the payment wherefor to the United States we bind ourselves, our heirs, executors and admissionation and the sum of —— dollars; for the payment wherefor to the United States we bind ourselves, our heirs, executors and admissionations and the sum of —— dollars; for the payment wherefor to the United States we bind ourselves, our heirs, executors and admissionations and the sum of —— dollars; for the payment wherefor

Signed, sealed and delivered in presence of -

Figned, sealed and delivered in presence of

The above bond will be taken in a penalty equal
to double the duties on the merchandise withdrawn,
and with two good and sufficient sureties, who
will each justify in an amount equal to the penalty
of the bond.

When the vessel into whose construction the
materials withdrawn have entered, is enrolled and
licensed to engage in the foreign and coasting
trade on the northern, northwestern and northeastern frontiers of the United States, the clause in
the above bond referring to the surrender of a
register will be omitted.

The provisions of sections 345 and 346 of Department instructions of June 20, 1572, to which these
are supplementary, will apply also to these instructions.

tions.

The amount of duties received yesterday footed

THE COURTS.

Law Against Boarding House Runners-Pay of City Officials.

UNITED STATES COMMISSIONERS' COURT. An Important Law for the Protection of Sailors from Boarding House Runners.

Before Commissioner Shields.

The United States vs. Edward Bennett and John Horn.—The defendants are charged with a violation of the act of Congress approved June 7, 1872. This law is known as "The Shipping act," and has been specially framed for the protection of sailors from the robberies and rapacities of boarding house runners. It is alleged by Patrick H. Kelly, an officer of the Harbor Police, that the defendants, without being duly authorized, boarded the North German bark Wilhelm Kisker in the harbor before her actual arrival, and before she had been completely moored, without the consent of the master of the ship. As the law is an important one, and one that was very much needed, we quote two of its sections which are applicable to the above case:—

Section 62 says that every person who, not being in the United States service, and not being duly authorized by law for the purpose, goes on board any ship about to arrive at the place of her destination before her actual arrival, and before she has been completely moored, without permission of the master, shall, for every such offence, incur a penalty not exceeding \$200, and shall be liable to imprisonment for any period not exceeding six months; and the master or person in charge of said ship may take any such person so going on board as aforeasid into custody and deliver him up forthwith to any constable or police officer, to be by him taken before any justice of the peace, and to be dealt with according to the provisions of this act.

Section 63 reads thus:—That if within twenty-four hours after the arrival of any ship at any port of the United States any person then being on board such ship solicits any seamen to become a lodger at the house of any person letting iodgings for hire, or takes out of such ship any effects of any seaman, except under his personal direction and with the permission of the master, he shall for every such offsnee incur a penalty not exceeding \$60, or shall be liable to imprisonment for any period not exceeding three months.

The defendants were held in \$1,000 bail each for

The defendants were held in \$1,000 ball each for examination this day.

Alleged Mutiny on Board a Ship.

A number of seamen belonging to the ship Henry were brought before Commissioner Shields on a charge of having mutinied in the harbor on board lished in the HERALD of yesterday. The Commisissed in the Herald of yesterday. The Commissioner ruled that he had no jurisdiction in the matter, and referred the case to the British Consul, the vessel on which the afray took place being an English one, and the Consul having made no application to the Commissioner to act in the matter. The Consul, on the case being brought to his notice, decided that he could take no action in it, as the alleged mutiny had taken place in the harbor, in waters over which the United States had no authority. Finally the matter was referred to one of the city magistrates.

SUPREME COURT-CHAMBERS.

Pay of Clerks of Corporation Counsel's Office. Before Judge Barrett.

In this Court motion was made yesterday to open judgments amounting to \$11,200 entered against the city in favor of the clerks of the Corporation Counsel for salary. The motion was pressed on the ground that by the charter of 1870 no judgment can ground that by the charter of 1870 no judgment can be entered against the city except upon the verdict of a jury that the omission to put in an answer was excusable under the circumstances, and that the city has a good right to the claims, the Board of Audit having appropriated only \$7,000 for this purpose, while the payments are \$4,000 over this sum. Judge Barrett directed that the judgments be opened, but only on condition that payments be made of the amount admitted to be due, and that short notice of trial be accepted by the Counsel to the Corporation.

Decisions.

Brinkley vs. Brinkley. Motion depied without

Brinkley vs. Brinkley .- Motion denied without costs,
Adams vs. McCabe.—Defendant's motion to offset judgment denied without costs and stay vacated. Plaintif's motion for a receiver and to punish for contempt denied without costs and without prejudice to a renewal upon the entry of the order vacating stay.

dice to a renewal upon the entry of the order vacating stay.

Barnett vs. Gepp.—Motion denied, with \$10 costs, Hill vs. Stokes.—Same.

Weidenfeld vs. Miller.—Motion granted.

Jakol vs. Leianva et al.—Application denied.

Dietz vs. Townsend et al.—Same.

In the Matter of the Application of Eugene Marcile, &c.—Motion denied without prejudice to renewal upon further adidavits.

The Mechanics and Traders' National Bank vs. E. G. Goodwan et al.—Motion granted, with \$10 costs.

SUPERIOR COURT-SPECIAL TERM. Decisions.

By Judge Monell. Steta vs. Kalkennia.—Motion to discharge order of arrest denied; bail reduced to \$500. COMMON PLEAS-SPECIAL TERM.

Decisions. By Judge Robinson.
Devlin vs. Petse.—Case settled.
Gedfield vs. Gedfield.—Referee's report confirmed and divorce granted.
Wallenstein vs. Mayer.—Referred back to referee to report testimony on which the allowance was made.

COURT OF GENERAL SESSIONS.

Sixth Ward Rough Sent to the State Prison for Firing a Pistol at a Citizen in the City Hall Park.

The first case tried by the jury yesterday was an indictment against James Driscoll, who was jointly indicted with James Lovell, charged with felonious assault and battery upon James Duffy. It seemed from the evidence that on the day previous to the ssault that an assault was made upon a little girl in front of the Sun office by a gang of rowdies known as the "Swamp Angels," to which it was claimed Driscoll belonged, and that in endeavoring to protect the girl Colonel Meany and another citizen were beaten by the "Angels." Duffy went to the assistance of the citizens, and Driscoli then to the assistance of the citizens, and Driscoli then threatened to pull off his side whiskers. A policeman soon appeared, and some of the parties were arrested. He (Dufly) walked away, and supposed that was the end of the matter. Upon the foliowing day, which was Sunday, he and a friend named william McCaffrey took a trip to Red Bank, and returning home in the evening they accidentally walked through the Park between seven and eight o'clock, and while passing the Hall of Records Driscoll and others of his gang were in the Park Driscoll came up to him, put a pistol to his head and said, "I will kill you." The prisoner had the pistol cocked, but it caught his (Dufly's) finger when he was trying to pull the trigger, so that the shot did not take effect. But the complainant further testified that in the scuffle a man fired a pistol. That shot took effect in his side, and the ball was in him yet. It was subsequently discovered that the perpetrator of that crime was James Lovell, the party who has been jointly indicted, but who cannot be found.

Mr. Kintzing asked the Court to direct the jury to acquit the accused on the ground that the indictment charged two separate felonies. His Honor declined to charge that proposition, and the counsel proceeded to call witnesses for the defence. James Driscoll, John Carroll, James Fitzgerald and John O'Donnell all told substantially the same story, that on this night Duffy had a gang with him, and as they were about to a stack Driscoll he said if they put a hand on him he would shoot them.

The District Attorney called William McCaffrey, wno corroborated the complainant's testimony, and positively asserted that he and Duffy were attacked by the alleged "Swamp Angels."

Officer O'Sullivan testified that at the time of the shooting he saw Duffy and McCaffrey when he ran over and took the pistol out of Driscoll's hand, and immediately afterwards a crowd of fellows gathered there.

The District Attorney said that, as the counsel in sinuated that Duffy belonged to the "Swamp Angel." threatened to pull off his side whiskers. A police

over and took the pistor out of the counsel in immediately afterwards a crowd of fellows gathered there.

The District Attorney said that, as the counsel insinuated that buffy belonged to the "Swamp Angel" gang, he wished to show by the officer that he did not, Officer Sullivan stated that he had been in the precinct for two years, and that neither Duffy nor McCaffrey belonged to the gang.

The jury rendered a verdict of guilty of an assault with a dangerous weapon with intent to do bodily harm.

Judge Bedford, in passing sentence, said that he understood Driscoll was the leader of a gang of roughs in the Sixth ward, and in order, if possible, to break it up, he would send him to the State Prison for five years.

A Notorious Young Thief Sent to the

Penitentiary.

Henry Gannon pleaded guilty to an attempt at grand larceny. The evidence showed that on the afternoon of the 19th of June a boy named Patrick McGioin ran into the basement of the house of John Leopold, corner of Fifty-second street and Lexington avenue, and stole a gold watch, chain and breastpin, the property of Mrs. Leopold. Gannon stood at the door while his confederate went in to steal, and when pursued by a young lady they both ran away. They were arrested a short time after by an officer. At the last term of the Court Gannon was tried upon a similar charge, when the jury dis-agreed.

agreed.

Judge Bedford, in passing sentence, said:—"I re-Judge nedford, in passing sentence, said—Tro-gret very much to see a boy fourteen years old brought to the bar upon two indictments. The po-lice officer tells me you belong to a notorious gaug of thieves, all of whom are much older than you. If you had been convicted of this offence I would have had to send you to the State Prison. As an example to boys of your age I shall send you to the Penitentiary for two years." Forty-nine Indictments Found by the

Grand Jury. In the afternoon the Grand Jury brought in fortynine indictments, principally for burglary and lar-ceny. It is safe to say that never has a grand inquest passed upon so many cases in one day's session as were acted upon yesterday. This was owing to the presence of Judge Garvin in the Grand Jury room, and another such day's work will finish up the business for the term.

Judge Bedford directed that all these cases should be placed upon Wednesday's calendar for immediate trial.

Suspension of Judgment. Charles Gray pleaded guilty to stealing an over-

coat from William M. Oliffe on July 6. Levi Kaufman pleaded guilty to an assault and battery with intent to do bodily harm to Samuel Mildenberg, on July 23. As there were mitigating circumstances in these cases His Honor suspended judgment.

Alleged Larceny.

The trial of Margaret J. Schaffer, charged with stealing a diamond ring from William W. Schaffer, was commenced late in the afternoon and will be finished this morning.

COURT OF SPECIAL SESSIONS.

A Long Calendar Disposed Of-Kerrigan Discharged. There was a somewhat heavy calendar of cases

disposed of yesterday at this Court. Justices Shandley, Cox and Coulter were on the bench. George H. Kerrigan, a tall, handsome young man, and a brother of the famous Colonel Jim Kerrigan, was called to the bar on a charge of assaulting Thomas Dempsey, the doorman of the Twenty-ninth precinct. On the 5th of August the brother of the prisoner, "Jim," was brought to the station house suffering violently from the effects of alcoholism. suffering violently from the effects of alcoholism. It took several policemen to keep him quiet. Dempsey in trying to suppress the redoubtable Jim, it appears, made use of a great deal of unnecessary force, which excited the indignation of the prisoner, his brother, and, in the siang of the b'hoys, he "hauled off" and struck the doorman. He did not injure him a bit, however, but the blow Dempsey received was a stunning lesson to him. Witnesses on behalf of the defence swore that Dempsey's conduct warranted the excitement which gave rise to the punishment he subsequently received at the hands of an indignant brother. The prisoner was acquitted.

risoner was acquitted.

Thomas Wilson, for having an indecent book in is possession, was sent to the Penitentiary for one

month.

Charles Schweder, for robbing a lady of a wallet containing \$15, while she was leaving St. Bridget's church on Sunday last, was sent to rusticate on the Island for six months.

James Harnett, accused and found guilty of indecent assault, was sent to the Penitentiary for six months.

Justice Shandley remarked that he regretted that it was not in the power of the Court to sentence him for twelve months.

THE WAY OF THE TRANSGRESSOR.

Yesterday's Proceedings at Jefferson Market-A Light Return-The Pugilisthe Community-Dangers of Sleeping Outdoors-Raid on a Gambling House. There were only thirty-eight prisoners arraigned at the above Con't yesterday morning, thirty-three being males and five females. Justice Cox speedily disposed of them, and left to take his seat at the Court of Special Sessions. Of the number arraigned thirteen were charged with intoxication, six with disorderly conduct, four with assault and battery, four with gambling, three with grand larceny, two with being drunk and disorderly, two with reckless driving, one with felonious assault, one pickpecket, one vagrant and one for petit larceny. Twentythree of these were held and fifteen discharged. LARCENY OF CLOTHING.

siding at 328 West Forty-first street, preferred a complaint against Ann McGowan and Ellen Gray, ooth residing in the same house, charging them with stealing a quantity of clothing from her on Monday, valued at \$25. Louisa Stiner testified to seeing the prisoners leave Mrs. Bennett's room

seeing the prisoners leave Mrs. Bennett's room with the property in their possession. They pleaded not guilty to the charge, but were committed in default of \$500 bail each to appear for trial.

BRATEN NEARLY TO DEATH.

Officer Gligar, of the Fifteenth precinct, presented Patrick Logan, aged twenty-two of No. 8 University place, on a charge of assault and battery, preferred by John Strahan, of 116 Third avenue, who failed to appear against him. The officer stated that on Monday night the prisoner and complainant became engaged in an altercation, which terminated by Strahan being knocked down. While lying helpless on the pavement, Logan, it is claimed, beat and kicked his antagonist until he became insensible. He was removed to his residence and placed in bed, where he is at present confined, unable to leave his room. Logan was committed to await the result of the injuries.

RAID ON A GAMBLING HOUSE.

RAID ON A GAMBLING HOUSE.

Shortly after eleven o'clock on Monday night, a young man, bareheaded, hair dishevelled, and nothing on him except his pants, shirt and shoes, breathlessly ran into the Prince street station house and demanded the protection of the police. He described himself as Marc Anthony, of 75 Carmine street, and stated after leaving his poor old father at the corner of Carmine and Bleecker streets, a short time previous, he was met by a fashionably dressed young man with a black musstreets, a short time previous, he was met by a fashionably dressed young man with a black mustache, who induced him to enter a fare bank on Bleecker street. After watching the game for some time he concluded to take a hand in, and played one dollar, which he lost. Becoming excited he put down four dollars and also lost that. As the dealer was in the act of sweeping Anthony's money into his till he made a grab for it and refused to give it up. The consequence of this was Anthony was kicked down stairs in no gentle manner, leaving a portion of his clothing behind him. Captain McChilough, who was in the station house at the time, selected three officers, and, proceeding to the place, arrested the proprietor, who gave his name as Peter McGowan, twenty-two years of age, and residence at 498 Seyenth avenue. The following persons, found in the place, were also arrested and furnished lodgings gratis for the balance of the night:—James Carroll, 434 West Seventeenth street; John Kelly, 608 Sixth avenue, and Jacob Brown, 13 West Houston street. McGowan yesterday morning stated the complainant was a frequent visitor at his place and had often won money there. On Monday night he claims Anthony made such a noise about losing his money that they were forced to eject him. The prisoners were all discharged.

THE DANGER OF SIERENING OUTDOORS.

George Fisher, on Monday night, being unable to sleep in the house, took a seat on the steps of his residence, 510 Broome street and, was shortly in the arms of Morpheus. He states about four o'clock in the morning he was awakened by feeling some person ransacking his vest pocket, and saw a young man, named James Goodwin, of Ge South Fifth avenue, walking away from him. He felt in his pocket and discovered he had been robbed of \$1. He pursued Goodwin and caused his arrest by Officer Ryrne, of the Eighth precinct. He denied the charge, but was locked up to answer a charge of larceny from him. He saw as a state of the charge, but was held for trial.

A FIGHT BETWEEN BROTHERS.

Two brothers

A BRUTAL FATHER.

WURTSBOROUGH, N. Y., August 12, 1872. James Liboet, residing in this place, was committed to the county jail to-day by Esquire James V. Morrison for brutally beating his little daughter, under seven years of age. The little girl was covered with bruises and contusions all over her body, and slept in the woods two nights to evade her father's wrath. The citizens of this place were highly indignant at the brutal father, who was nar twis saved from being lynched.

DE LUNATICO INQUIRENDO

The Cases of Teresa Drew and Rosa McCabe Again Before the Supreme Court.

Judge Barrett Thinks Miss Drew Sane, but Allows Her to Remain in the Bloomingdale Lunatic Asylum-No Return to the Writ in the Case of Miss McCabe-The Judge Refuses to Interview Her, and Her Case Stands Over for Further Investigation.

onsiderable degree of late in the public mind as to the alleged facile manner of compassing commitments to lunatic asylums. In the minds of some there have been conjured up barbaric cruelties ex-ceeding the most startling records of fiction, and fancy has pictured the victims of jealousy or hate or revenge dragged from their homes, and, upon the mere pretence of insanity, thrust into the gloomiest dungeous of an insane asylum, and there, helpless and remediless, left to linger and suffer and die. The cases of Teresa Drew and Rosa Mo-Cabe, as recently published in the papers, have served to renew and confirm this conviction. The FACTS IN THE TWO CASES

as at first promulgated have been fully given in the HERALD. It was charged, as will be remembered, that Teresa Drew had, through the inhuman crueity proper legal commitment, been confined for eighteen months in the Bloomingdale Lunatic Asylum.
The case of Miss McCabe was made to appear still worse. She had sought retirement from the pomp and vanities of the world by becoming a nun of the Order of Stanislaus. Here, as the story goes, a and upon her refusal she was charged with being insane and removed to the Bloomingdale Asvium Island. If she is insane—this fact being still unde-termined—this story of the unsaintly procedure of a priest may of course be purely the hallucination of her dethroned reason. At all events, it is very evident that great interest is felt

hallucination of her dethroned reason. At all events, it is very evident that great interest is felt in the two cases—a fact conclusive from the large crowd gathered yesterday morning in the room of the Supreme Court, Chambers, before Judge Barrett, where it was known they would be brought upon writs of habeas corpus. The APPEARANCE OF THE TWO LADIES was in striking contrast. Miss Drew is a large, muscular but paic faced woman of some forty years. She wore a illac colored striped dress, with white, shawl and bonnet trimmed à la mode. If anything, she seemed rather to enjoy the situation of being the cynosure of such general observation, and withstood the gaze of the crowd with the coolest inconvenience. Miss McCabe, or Sister Mary Stanislaus, the religious solviquet given her, is much younger and fair and fresh looking. She was dressed in the habiliments of her order, and sat with downcast eyes. Both were attended with friends. The CASE OF MISS DREW was called up first. Mr. J. D. Townsend, through whose application the writ of habeas corpus in her case was procured, stated that since the previous hearing he had been informed that the relatives of Miss Drew were willing to take her from the Asylum, and if such we'll the case he was willing to have the writ dismissed. To this Mr. Nicoli, counsel for the Bloomingdale Asylum, said that it was very certain that the managers of the institution did not desire to keep Miss Drew. There were already more applications for admission than they could grant. As to the treatment of Miss Drew, he, was satisfied that it had been of the kindest nature, and that she had not a word of fault to find in this regard.

was satisfied that it had been of the kindest nature; and that she had not a word of fault to find in this regard.

When Mr. Nicoli had sat down Mr. Henry R. Beekman jumped to his feet and claimed to be Miss Drew's counsel. He based, he said, this claim not only upon authority from her friends, but also upon her own authority from her friends, but also upon her own authority. At the request of Miss Drew he asked that the writ be dismissed. She desired, he said, to remain at present in the asylum, where she had received nothing but the kindest and most humane treatment.

Mr. Townsend then asked

THE EXAMINATION OF MISS DREW BY THE JUDGE, in order that His Honor might ascertain her wishes as to remaining in the institution or leaving. One thing was certain, that last Friday she expressed to him a strong desire to get away from there, and had requested a Miss Irwin and Mr. Van Vicet to intercede in her behalf. It was at the request of these parties he had applied for the writ of habeas corpus, and he did not think that any other counsel could ask to have the writ dismissed.

Mr. Beekman still insisted that he alone had the Right for Repressent Miss Drew and ascertain her wishes in the matter. He also said that if the counsel for the asylum wished to go into the question of the treatment of the patients there he was ready to show that the greatest crucity had been practiced, and in one instance

A LADY SCOURGED.

Judge Barrett examine Miss Drew and had led her half way across the hairway when he was told of his mistake and immediately proceeded to rectify his error. After a brief interim Judge Barrett returned into the court room and stated that Miss

his mistake and immediately proceeded to rectify his error. After a brief interim Judge Barrett returned into the court room and stated that Miss Drew answered his questions coherently and seemed to fully comprehend her situation. She had expressed a preference to remain where she was for the present, her friends having given assurance that preparations were being inade for her removal. Under these circumstances he gave an ORDER DISMISSING THE WRIT.

The following is his order:—

In Re Teresa Drew.—The hearing in this matter having been addourned to this day, and the said Teresa Drew appearing by Henry C. Beckman, of counsel, and the said Teresa Drew having expressed her willingness to remain in the said asylum under the understanding that her friends will remove her when she pleases to go, and her complete satisfaction with the treatment she has received at the hands of the managers of the said asylum, after hearing Mr. Townsend for the writ, Mr. Nicoll for the Bloomingdale Asylum and Mr. Beckman for the said Teresa Drew. Ordered, that said writ be and the same is hereby dismissed.

GEORGE C. BARKETT.

Judge Supreme Court.

After making out the above order Miss Drew, evidently pleased with the result, left the court room accompanied by those who had attended her to the Court, the understanding being, of course, that she would go back at once to her old quarters in the Bloomingdale Asylum. Subsequent to the proceedings in Court just recited the following AFFIDAVIT OP MISS IZWIN was prepared, which, as will be seen, has an important bearing on the case:—

Miss Emily Irwin, being duly sworn, says—That she was an attendant employed in the Bloomingdale Asylum for

was prepared, which, as will be seen, has an important bearing on the case:

Miss Emily Irwin, being duly sworn, says—That she was an attendant employed in the Bloomingdale Asylum for about two years, and that Miss Drew, during the whole time Miss Brew has been in the Asylum after 120th of June last, was in the care of this deponent; and 20th of June last, was in the care of this deponent; and the of the attorney for Miss Drew state that Miss Drew was well satisfied with the care and kindness bestowed upon her; and deponent says that such acknowledgment was nothing more than what was due to deponent, as she at all times endeavored to treat those patients she had in charge with patience and kindness; and deponent says that she also heard a statement made by the attorney of Miss Drew to the effect that Miss Drew had never authorized any person to make application for her discharge; in answer to such statement deponent says that while she was in attendance upon Miss Drew at the Asylum she has frequently, at the carnest solicitation of Miss Drew, visited the sister of Miss Drew, with requests that she would remove her from the Asylum; and deponent says that he fore leaving the Asylum is Drew begged deponent to do everything she could to obtain her discharge, and in consequence of her request deponent petitioned for a writ of habeas corpus; and deponent asys that on the first day when Miss Drew was brought fine Court Miss Drew thanked deponent for the interest she had taken in her; and deponent says that she was an woman. And deponent says that if the statements of the rough her council as she was moved to apply for Miss Drew's discharge simply as a matter of charity to her, believing from close observation of her that she was an ever asked for any, nor does she expect or require any, but that she has attended in Court to the great deriment of her business. And deponent says that if the statements made through her council are really the statements of Mirch and the statements of the statements of the statements of th

ron Grazdy, Notary Public, City and County of New York.

CASE OF ROSE MCCARE.

Having thus disposed of the case of Miss Drew, that of Sister Mary was next called, and immediately Mr. Townsend read the affidavit of service of the writ of habeas corpus in this case hefore Commissioner Bowen, of the Commissioners of Charities and Correction, and Dr. Parsons, of the Blackwell's Island Lunatic Asylum. When he had finished the reading of this Mr. John McKeon stated that he represented the aisters of Miss McCabe, by whom her board had been paid at the Bloomingdale Asylum previous to her removal to Blackwell's Island. These sisters desired that she should remain where she was. This matter had been

should remain where she was. This matter had been

DRAGGED BEFORE THE PUBLIC
in a most cruel way through the newspapers. There were, he felt assured, no grounds of imputation that she was detained improperly. Mr. Townsend took the exception that there had been made

NO REFURN TO THE WEIT
either by Commissioner Bowen or Dr. Parsons.
Miss McCabe had been sent into Court by an attendant, and not her customary one at that, with a paper in her hand which she was at illustry to hand to any one, but without any formal return to the writ by her custodians as required by the statute. This was infamous, and he insisted that before counsel should be heard on the other side, a formal return would be nade to the writ. Mr. McKeon said that he saw the people was not represented, and asked that the case stand over for half an hour, while he would go to the District Attorney's office and ask that for one to appear, on behalf of the people. This request was granted.

CONTINUED ON NINTH PAGE.